

REMARKS

Claims 14-16 and 18-27 are pending in the present application and are rejected. Claims 14 and 27 are herein amended.

Applicants' Response to Claim Rejections under 35 U.S.C. §102

Claims 14, 15 and 18 were rejected under 35 U.S.C. §102(b) as being anticipated by JP 9-325521 (JP '521).

It is the position of the Office Action that JP '521 discloses the invention as claimed. JP '521 is directed at a stocker and conveying system. The system includes a stocker 1 and a head-lining transport device 2. Stocker 1 includes first storage shelf 12, second storage shelf 13, and transport device 11. Head-lining transport device 2 includes rail 31 and truck 32. According to Figure 1 and paragraph [0019], it appears that shelf 14 of second storage shelf 13 is disposed directly beneath the rail 31 and truck 32 of the head-lining transport device. Loads 3 are placed on the shelf 14 after being released by chuck 33 of the head-lining transport device 2. A load 3 is then picked up by chuck 23 of transport device 11 and placed in the first storage shelf 12 or second storage shelf 13 accordingly.

Additionally, it is noted that the Examiner states on page 3 of the Office Action that "[t]he elevating space is formed at an top opening area of the stocker (the stocker has both racks) and the carriage could directly transfer the article to the platform at the opening, as functionally recited in claim 18."

In response, Applicants respectfully submit that the apparatus of JP '521 cannot directly deliver the article from an overhead carriage to the platform that raises and lowers. The Office

Action interprets transport device 11 to be a platform that rises and lowers, and transport device 2 to be an overhead carriage. As explained in paragraphs [0019] to [0021] of the machine translation, the load 3 is delivered onto a predetermined carrier delivery section 15 of shelf 14. Next, the conveyance means 11 will hold the load 3 using chuck means 23, and may then vertically migrate the load 3. This is clearly illustrated in Figure 1. Because both chuck means 23 and chuck means 33 grab the load 3 in approximately the same location, it is not possible for the load to be transferred directly from the transport device 2 to the conveyance means 11. Furthermore, since JP '521 discloses shelf 14, allowing for temporary storage of loads 3, there is no need for direct transferring of loads 3 from the transport device 2 to the conveyance means 11.

Accordingly, Applicants herein amend claim 14 in order to incorporate and clarify the subject matter of claim 18. Applicants respectfully submit that JP '521 does not disclose or suggest directly transferring an article from an overhead traveling carriage to a platform that rises and lowers. Further, Applicants respectfully submit that such an amendment does not raise new issues requiring further search or consideration, since the subject matter was previously presented in claim 18. Favorable reconsideration is respectfully requested.

Claims 16, 19 and 20 were rejected under 35 U.S.C. §102(b) as being anticipated by, or in the alternative, under 35 U.S.C. §103(a) as being obvious over JP '521.

It is the position of the Office Action that JP '521 may disclose the disposal of a stocker between processing devices. The Office Action notes that even if this interpretation is inaccurate, it would have been obvious to locate a stocker between two processing devices.

Amendment
Serial No. 10/735,733
Attorney Docket No. 032159

In response, Applicants respectfully submit that claims 16, 19 and 20 are patentable due to their direct and indirect dependency on claim 14, which Applicants submit is patentable for at least the reasons discussed above. Favorable reconsideration is respectfully requested.

Applicants' Response to Claim Rejections under 35 U.S.C. §103

Claims 21-25¹ and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP '521 in view of JP 4-80107 (JP '107).

It is the position of the Office Action that JP '521 discloses the invention as claimed, with the exception of an elevator platform engaging a bottom surface of a load. The Office Action relies on JP '107 to provide this teaching. With regard to claims 21-24, Applicants respectfully submit that they are patentable due to their indirect dependency claim 14, which Applicants submit is patentable for at least the reasons discussed above.

With regard to claim 27, the Office Action states that the stocker of JP '521 includes a station 14 of shelf 107 to deliver and receive the article 3. See Figure 3. In response, Applicants herein amend claim 27 in order to recite that the station 122 "protrudes" from the stocker 2'. This is supported by at least Figure 7. Applicants respectfully submit that the combination of JP '521 and JP '107 does not disclose or suggest such a combination.

Claims 21, 22 and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over JP '521 in view of Bernard (U.S. Patent No. 4,389,157).

¹Although the Office Action does not indicate that claim 25 is rejected on these grounds, the Examiner confirmed in a telephone conversation with Applicants' representative that claim 25 should have been included in this rejection.

Amendment
Serial No. 10/735,733
Attorney Docket No. 032159

It is the position of the Office Action that JP '521 discloses the invention as claimed, with the exception of an elevator platform engaging a bottom surface of a load. The Office Action relies on Bernard to provide this teaching.

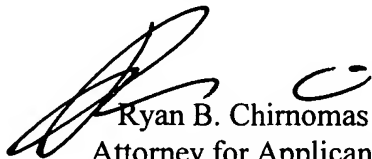
In response, Applicants respectfully submit that claims 21, 22 and 27 are patentable due to their indirect dependency on claim 14, which Applicants submit is patentable for at least the reasons discussed above. Favorable reconsideration is respectfully requested.

For at least the foregoing reasons, the claimed invention distinguishes over the cited art and defines patentable subject matter. Favorable reconsideration is earnestly solicited.

Should the Examiner deem that any further action by applicants would be desirable to place the application in condition for allowance, the Examiner is encouraged to telephone applicants' undersigned agent.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP


Ryan B. Chirnomas
Attorney for Applicants
Registration No. 56,527
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

RBC/jl/mra